

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS  
MCC NonFerrous Trading Inc.

DEFENDANTS  
AGCS Marine Insurance Company

## ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Joshua Gold & Dennis J. Nolan  
Anderson Kill, P.C., 1251 Avenue of the Americas, New York, NY 10020  
(212) 278-1000

## ATTORNEYS (IF KNOWN)

Donald Rave  
Donald Rave Law Offices, 11 The Plz, Locust Valley, NY 11560  
(516) 671-1295

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Action under 28 U.S.C. § 1332 for declaratory judgment and damages for Defendant's breach of an Ocean Marine Cargo Insurance Policy.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time?  Yes  Judge Previously Assigned

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

IS THIS AN INTERNATIONAL ARBITRATION CASE?  No  Yes

(PLACE AN  IN ONE BOX ONLY)

## NATURE OF SUIT

TORTS			ACTIONS UNDER STATUTES		
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>
<input checked="" type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 367 HEALTHCARE/	<input type="checkbox"/> 625 DRUG RELATED	<input type="checkbox"/> 1422 APPEAL	<input type="checkbox"/> 375 FALSE CLAIMS
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> PHARMACEUTICAL PERSONAL	<input type="checkbox"/> SEIZURE OF PROPERTY	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 400 STATE REAPPORTIONMENT
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> INJURY/PRODUCT LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 140 NEGOTIABLE INSTRUMENT	<input type="checkbox"/> 320 ASSAULT, LIBEL & SLANDER	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 21 USC 881	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	<input type="checkbox"/> 330 FEDERAL EMPLOYERS' LIABILITY	<input type="checkbox"/> 368 ASBESTOS PERSONAL INJURY	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> PROPERTY RIGHTS	<input type="checkbox"/> 450 COMMERCE
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 340 MARINE	<input type="checkbox"/> PERSONAL PROPERTY	<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> 460 DEPORTATION	<input type="checkbox"/> 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
<input type="checkbox"/> 152 RECOVERY OF DEFULTED STUDENT LOANS (EXCL VETERANS)	<input type="checkbox"/> 345 MARINE PRODUCT LIABILITY	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> 490 CABLE/SATELLITE TV	
<input type="checkbox"/> 160 STOCKHOLDERS SUITS	<input type="checkbox"/> 355 MOTOR VEHICLE PRODUCT LIABILITY	<input type="checkbox"/> 380 OTHER PERSONAL PROPERTY DAMAGE	<input type="checkbox"/> LABOR	<input type="checkbox"/> 850 SECURITIES/ COMMODITIES/ EXCHANGE	
<input type="checkbox"/> 190 OTHER CONTRACT	<input type="checkbox"/> 360 OTHER PERSONAL INJURY	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> 710 FAIR LABOR STANDARDS ACT	<input type="checkbox"/> 861 HIA (1395f)	
<input type="checkbox"/> 195 CONTRACT PRODUCT LIABILITY	<input type="checkbox"/> 362 PERSONAL INJURY - MED MALPRACTICE	<input type="checkbox"/> 463 ALIEN DETAINEE	<input type="checkbox"/> 720 LABOR/MGMT RELATIONS	<input type="checkbox"/> 862 BLACK LUNG (923)	
<input type="checkbox"/> 196 FRANCHISE	<input type="checkbox"/> ACTIONS UNDER STATUTES	<input type="checkbox"/> 510 MOTIONS TO VACATE SENTENCE	<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> 863 DIWC/DIWV (405(g))	
<b>REAL PROPERTY</b>	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 28 USC 2255	<input type="checkbox"/> 751 FAMILY MEDICAL LEAVE ACT (FMLA)	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 890 OTHER STATUTORY ACTIONS
<input type="checkbox"/> 210 LAND CONDEMNATION	<input type="checkbox"/> 530 HABEAS CORPUS	<input type="checkbox"/> 790 OTHER LABOR	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 891 AGRICULTURAL ACTS	
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> 791 EMPL RET INC SECURITY ACT	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 893 ENVIRONMENTAL MATTERS	
<input type="checkbox"/> 230 RENT LEASE & EJECTMENT	<input type="checkbox"/> 540 MANDAMUS & OTHER	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 871 IRS-THIRD PARTY	<input type="checkbox"/> 895 FREEDOM OF INFORMATION ACT	
<input type="checkbox"/> 240 TORTS TO LAND	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS (Non-Prisoner)	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 26 USC 7609	<input type="checkbox"/> 896 ARBITRATION	
<input type="checkbox"/> 245 TORT PRODUCT LIABILITY	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> IMMIGRATION	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION	
<input type="checkbox"/> 290 ALL OTHER REAL PROPERTY	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> PRISONER CIVIL RIGHTS	<input type="checkbox"/> 871 IRS-THIRD PARTY	<input type="checkbox"/> 950 CONSTITUTIONALITY OF STATE STATUTES	
	<input type="checkbox"/> 443 HOUSING/ ACCOMMODATIONS	<input type="checkbox"/> 550 CIVIL RIGHTS	<input type="checkbox"/> 893 ENVIRONMENTAL MATTERS		
	<input type="checkbox"/> 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	<input type="checkbox"/> 555 PRISON CONDITION	<input type="checkbox"/> 895 FREEDOM OF INFORMATION ACT		
	<input type="checkbox"/> 446 AMERICANS WITH DISABILITIES - OTHER	<input type="checkbox"/> 560 CIVIL DETAINEE	<input type="checkbox"/> 896 ARBITRATION		
	<input type="checkbox"/> 448 EDUCATION	<input type="checkbox"/> CONDITIONS OF CONFINEMENT	<input type="checkbox"/> 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION		

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?  
IF SO, STATE: \_\_\_\_\_

DEMAND \$ No less than OTHER 2,325,766.75

JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint  
JURY DEMAND:  YES  NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

JUDGE GARDEPHE

CIVIL COVER SHEET

14 CV

8302

OCT 16 2014

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## IS THIS AN INTERNATIONAL ARBITRATION CASE?

 No  Yes (PLACE AN  IN ONE BOX ONLY)

## NATURE OF SUIT

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CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input checked="" type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 367 HEALTHCARE/	<input type="checkbox"/> 625 DRUG RELATED	<input type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 375 FALSE CLAIMS
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> PHARMACEUTICAL PERSONAL	<input type="checkbox"/> SEIZURE OF PROPERTY	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> INJURY/PRODUCT LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> REAPPORTIONMENT
<input type="checkbox"/> 140 NEGOTIABLE INSTRUMENT	<input type="checkbox"/> 320 ASSAULT, LIBEL & SLANDER	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 21 USC 881	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT	<input type="checkbox"/> 330 FEDERAL EMPLOYERS' LIABILITY	<input type="checkbox"/> 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> PROPERTY RIGHTS	<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 340 MARINE PRODUCT LIABILITY	<input type="checkbox"/> PERSONAL PROPERTY		<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> 450 COMMERCE
<input type="checkbox"/> 152 RECOVERY OF DEFOLTED STUDENT LOANS (EXCL VETERANS)	<input type="checkbox"/> 345 MARINE PRODUCT LIABILITY	<input type="checkbox"/> 370 OTHER FRAUD		<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> 460 DEPORTATION
	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 371 TRUTH IN LENDING		<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
	<input type="checkbox"/> 355 MOTOR VEHICLE PRODUCT LIABILITY				<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	<input type="checkbox"/> 360 OTHER PERSONAL INJURY	<input type="checkbox"/> 380 OTHER PERSONAL PROPERTY DAMAGE	<input type="checkbox"/> LABOR	<input type="checkbox"/> 490 CABLE/SATELLITE TV	
	<input type="checkbox"/> 362 PERSONAL INJURY - MED MALPRACTICE	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> 710 FAIR LABOR STANDARDS ACT	<input type="checkbox"/> 850 SECURITIES/ COMMODITIES/ EXCHANGE	
<input type="checkbox"/> 160 STOCKHOLDERS SUITS		<input type="checkbox"/> 510 MOTIONS TO VACATE SENTENCE	<input type="checkbox"/> 720 LABOR/MGMT RELATIONS		
<input type="checkbox"/> 190 OTHER CONTRACT		<input type="checkbox"/> 463 ALIEN DETAINEE	<input type="checkbox"/> 740 RAILWAY LABOR ACT		
<input type="checkbox"/> 195 CONTRACT PRODUCT LIABILITY	<input type="checkbox"/> ACTIONS UNDER STATUTES	<input type="checkbox"/> 510 MOTIONS TO VACATE SENTENCE	<input type="checkbox"/> 751 FAMILY MEDICAL LEAVE ACT (FMLA)	<input type="checkbox"/> 890 OTHER STATUTORY ACTIONS	
<input type="checkbox"/> 196 FRANCHISE	<input type="checkbox"/> CIVIL RIGHTS	<input type="checkbox"/> 530 HABEAS CORPUS	<input type="checkbox"/> 790 OTHER LABOR LITIGATION	<input type="checkbox"/> 891 AGRICULTURAL ACTS	
		<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> 791 EMPL RET INC SECURITY ACT		
		<input type="checkbox"/> 540 MANDAMUS & OTHER			
REAL PROPERTY	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS (Non-Prisoner)		<input type="checkbox"/> IMMIGRATION		
<input type="checkbox"/> 210 LAND CONDEMNATION	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> PRISONER CIVIL RIGHTS	<input type="checkbox"/> 462 NATURALIZATION		
	<input type="checkbox"/> 442 EMPLOYMENT		<input type="checkbox"/> APPLICATION		
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> 443 HOUSING/ ACCOMMODATIONS	<input type="checkbox"/> 550 CIVIL RIGHTS	<input type="checkbox"/> 465 OTHER IMMIGRATION ACTIONS		
<input type="checkbox"/> 230 RENT LEASE & EJECTION	<input type="checkbox"/> 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	<input type="checkbox"/> 555 PRISON CONDITION	<input type="checkbox"/> 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT		
<input type="checkbox"/> 240 TORTS TO LAND					
<input type="checkbox"/> 245 TORT PRODUCT LIABILITY	<input type="checkbox"/> 446 AMERICANS WITH DISABILITIES - OTHER				
<input type="checkbox"/> 290 ALL OTHER REAL PROPERTY	<input type="checkbox"/> 448 EDUCATION				

Check if demanded in complaint:

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DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE: \_\_\_\_\_

DEMAND \$ No less than OTHER 2,325,766.75 JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_Check YES only if demanded in complaint  
JURY DEMAND:  YES  NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).